

REMARKS

Claims 1-24 are pending in the subject application. Claims 1-24 stand rejected under 35 U.S.C. 102(b). Claims 4, 5, 13, 17, and 18 have been amended.

The Applicants appreciate the Examiner's thorough examination of the subject application and, moreover, the Examiner and Senior Examiner granting a telephone interview on September 8, 2005. The Applicants respectfully request reconsideration of the subject application based on the above amendments and the following remarks.

35 U.S.C. § 102(b) REJECTIONS

The Examiner has rejected claims 1-24 as being anticipated by U.S. Patent Number 5,652,803 to Tachikawa ("Tachikawa" or the "Tachikawa Reference"). The Applicants respectfully traverse the grounds for rejection based on the above amendments and for the reasons provided below.

In her "Response to Arguments", the Examiner asserts that, Applicants' assertion that the availability and communicability of stored or temporarily stored image data to external devices is not found in the claims. The Applicants respectfully disagree.

Claims 1 and 9 recite "an image transmitting section for transmitting the image data to an external image receiving device in response to a request for transmission of the image data sent from the external device" and claim 23 recites transmitting the image data in response to a request for transmission of the image data". Claims 17 and 18 recite that "a request for retrieving an image is sent from an external device" and claim 24 recites that "the external device sends a request for retrieving the image data judged to be of the specific document". Thus, the invention as claimed provides an image transmission device that prevents reproduction of specific documents when transmission of image data is requested by an external device and the data are to be

sent to an external printing device, e.g., a remote facsimile machine, in response to that request. See, e.g., Specification, page 5, line 25 to page 6, line 7.

The Tachikawa reference, however, does not disclose "requesting image data transmission from an external device" or "data transmission to an external image receiving device" in response to a request from an external device.

Indeed, referring to Tachikawa FIGS. 14A (for a non-counterfeit determination) and 21, after the main CPU (401) of the PPC (120), which is internal (not external) to the image processing unit ("IPU"), is placed in a copy mode, it sends a start signal to the CPU acting as an IPU (120a, 517) where one or more detection units (e.g., 508 and 512, 608, 708) makes a determination whether the image data correspond to a prohibited specific pattern. In the non-counterfeit case, the CPU acting as an IPU (120a, 517) transmits image data to the main CPU (401) of the PPC (120) and a copy can be printed on the local PPC (120). In short, there is no external request nor is there a transmission to an external device in response to a request. The passage cited by the Examiner (col. 16, lines 7-43) merely relates to a request by the managing apparatus to initiate a transfer of data from the managing apparatus to the image forming apparatus.

With respect to claims 4 and 12, the Examiner maintains that the prohibiting command on Tachikawa Figure 21 "prohibits or restricts transmission of the image data by said image transmitting section." However, Tachikawa's "prohibiting command" relates to copying not transmission and, moreover, Tachikawa teaches sending color data synthesized from image data only when the pattern is recognized, which teaches away from the recitations in claims 4 and 12.

More particularly, with respect to claims 6, 14, and 22, the Examiner asserts that "the copying operation prohibition cancel command" of Tachikawa corresponds to the claimed call refusal means. The "copying operation prohibition cancel command", however, is a command issued by the managing apparatus to allow copying and turning off a state in which the copy machine is prevented from copying as disclosed

in Tachikawa, col. 16, lines 33-43. Tachikawa does not teach, mention or suggest refusing to receive a call from the managing means.

Furthermore, with respect to claims 6 and 7, Tachikawa also does not teach, mention or suggest a device that will refuse a subsequent call from an external device that has previously requested "transmission of specific image data" or providing a warning (of forgery) to the external device or to an external image receiving device.

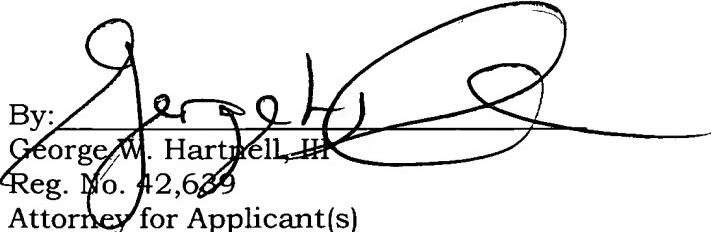
Additionally, with respect to independent claims 17, 18, and 24, in her Response to Arguments, the Examiner asserts that Tachikawa teaches a "guidance message". However, even if the "guidance message" is a warning, Tachikawa does not teach, mention or suggest sending a warning to an external device or an external information receiving device when the external device requests to receive prohibited image data from the image transmission device.

Therefore, the Applicant again respectfully maintains that, claims 1-24 are not anticipated by the Tachikawa reference. Accordingly, it is respectfully submitted that, claims 1-24 satisfy the requirements of 35 U.S.C. § 100, et seq., especially § 102(b), and are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

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The Applicants believe that no additional fee is required for consideration of the within Response. However, if for any reason the fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

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